

**REMARKS****Interview Summary**

Pursuant to M.P.E.P. § 713.04, Applicants provide the following summary of the personal interview conducted on March 1, 2004.

Applicants' representative and the Examiner discussed U.S. Patent No. 6,177,940 to Bond et al. Applicant's representative argued that Bond et al. was directed toward the generation of statistical analysis reports used to analyze the effectiveness of treatment.

In view of pending claim 23, the parties discussed the features of designating a receiving physician and a patient report that includes a provisional diagnosis. The Examiner argued that the feature of designating a receiving physician was taught by the "primary physician" shown in Fig. 5 of Bond et al. The Examiner noted that the feature of a patient report having a provisional diagnosis was not taught by Bond et al. Finally, the parties discussed the use of thresholds to determine interview branching. The Examiner noted that this feature was not taught by Bond et al.

Applicants thank the Examiner for courtesies and assistance provided during the personal interview. Applicants also wish to acknowledge with great appreciation the Examiner's helpful comments made during the substantive discussions.

**Summary of the Office Action**

Claim 39 stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Claims 23-59 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bond et al. in view of Gray (U.S. Patent No. 6,149,585).

#### **Summary of the Response to the Office Action**

Applicants have: amended claims 23-29, 36-39, 41-46, 49-51, and 53-58; added new claims 60-63; and canceled claims 30, 31, 34, and 35. No new matter has been added. Accordingly, claims 23-29, 32-33, and 36-63 are pending for consideration.

#### **The Rejection under 35 U.S.C. § 112, second paragraph**

Claim 39 stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Applicants have amended claim 39 to address the Examiner's concerns. Applicants respectfully submit that the amendments do not narrow the scope of the claims. Thus, Applicant does not intend to relinquish any subject matter. Applicants respectfully submit that claim 39, as amended, fully comply with the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

#### **The Rejections under 35 U.S.C. § 103(a)**

Claims 23-59 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bond et al. in view of Gray. Applicants respectfully traverse the rejection for at least the following reasons.

With respect to the rejection of independent claim 23 under 35 U.S.C. § 103(a), Applicants respectfully submit that the applied references do not teach or suggest each and every element of independent claim 23, as amended. Independent claim 23 recites, *inter alia*, an interviewing mechanism that “uses an interview threshold linked to the interview element for controlling execution of the interview element. . . .” At least this feature of independent claim 23 is neither taught nor suggested by the applied references.

For example, instead of an interview mechanism that uses thresholds for determining interview scope and depth, Bond et al. discloses a user interface for performing interview branching based on the user’s last response. Further, Fig. 17 shows the questions that may be presented to a user based on simple branching logic. Finally, at column 17, lines 65-67, Bond et al. discloses that “[i]n some instances, the succeeding questions are dependent upon the response of the patient to the preceding question.” Hence, Bond et al. fails to teach or suggest a data processing system that includes an interview mechanism that “uses an interview threshold linked to the interview element for controlling execution of the interview element . . . .”

Because the applied references do not teach or suggest each feature of independent claim 23, Applicants respectfully assert that the rejection under 35 U.S.C. § 103(a) should be withdrawn. Furthermore, Applicants assert that dependent claims 24-29, 32-33, and 36-59 are allowable at least because of its dependence from independent claim 23 and the reasons set forth above. Thus, Applicants respectfully request that the rejection of claims 23-29, 32-33, and 36-59 under 35 U.S.C. § 103(a) be withdrawn.

**Claims 60-63 are Allowable**

Applicants have added the new claims 60-63 to further define the present invention. Applicants submit that Bond et al. does not disclose each and every feature of dependent claims 60-63. In particular, Bond et al. does not teach or suggest, inter alia, an interviewing mechanism that uses “thresholds.” Furthermore, Applicants respectfully assert that dependent claims 60-63 are allowable at least because of their dependence from independent claim 23.

**Conclusion**

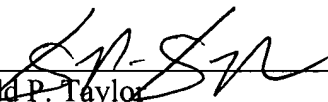
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants’ undersigned representative at 202.739.5271 to expedite prosecution.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.1 36(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:

  
Todd P. Taylor  
Reg. No. 48,513

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**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Phone: 202.739.3000  
Facsimile: 202.739.3001